

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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LEGATUS, et al.,

Plaintiffs,

v.

Case No. 12-12061

KATHLEEN SEBELIUS, et al,

Defendants,

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**ORDER SETTING DEADLINES**

On August 21, 2013, the court conducted a conference with counsel. The court discussed with counsel whether to proceed directly to a trial on the papers or, alternatively, if the parties would rather pursue motion practice first. After much discussion, counsel determined that the most efficient way to resolve this matter is through motion practice. The court will therefore direct Plaintiff Legatus to file a motion for preliminary injunction, and will set an expedited briefing schedule on that motion. After the motion is resolved, it is anticipated that the parties will seek an immediate interlocutory appeal. Accordingly,

IT IS ORDERED that Legatus is DIRECTED to file its amended complaint by **August 30, 2013**. Defendants are DIRECTED to provide the administrative record to Legatus by **September 6, 2013**. Legatus is DIRECTED to file its motion for preliminary injunction by **September 20, 2013**. The argument portion of the brief shall be limited to twenty-five pages. The proposed findings of fact shall not count toward the page limit. Each proposed fact should be separately numbered with a supporting citation to the record.

IT IS FURTHER ORDERED that Defendants are DIRECTED to file their response brief by **October 4, 2013**. The argument portion of the brief shall be limited to twenty-five pages. Defendants shall respond to each of Legatus' proposed facts, by number, stating whether they agree or dispute each fact and, if the fact is disputed, offering their own citation to the record. After responding to each of Legatus' numbered proposed facts, Defendants may also proffer their own facts, starting them with the number following Legatus' last fact.

Finally, IT IS ORDERED that Legatus is DIRECTED to file its reply brief by **October 18, 2013**. The argument portion shall be limited to ten pages, and Legatus shall also respond to Defendants' proposed facts, through the method described above.<sup>1</sup>

Unless otherwise ordered, the court will not conduct a hearing.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: August 28, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 28, 2013, by electronic and/or ordinary mail.

S/Holly Monda for Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522

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<sup>1</sup> If counsel determines that they need additional pages to adequately address the issues, they may contact the court's case manager, who has authority to grant reasonable page-length extensions upon request. If the request is not granted by the case manager, counsel will need to file a motion for leave to exceed the page limit.